

INSPECTIONS AND APPEALS DEPARTMENT[481]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 10A.104(5) and 135C.14, the Department of Inspections and Appeals hereby gives Notice of Intended Action to amend Chapter 59, “Tuberculosis (TB) Screening,” Iowa Administrative Code.

The proposed amendment clarifies which health care workers are subject to the tuberculosis screening requirements outlined in 481—Chapter 59, as well as those individuals who are exempt from the screening requirements. The proposed amendment was developed in cooperation with the Iowa Department of Public Health and addresses concerns raised by the Iowa Health Care Association and LeadingAge Iowa regarding TB screening of volunteers who work in health care facilities.

Chapter 59 addresses TB screening for health care workers in hospitals licensed pursuant to Iowa Code chapter 135B and health care facilities licensed pursuant to Iowa Code chapter 135C. One association submitted a comment related to the definition of “health care worker” during the initial rule-making process to adopt Chapter 59 (see **ARC 0484C**, IAB 12/12/12). However, after careful consideration of all comments and discussion with the Department of Public Health, it was decided that no changes should be made to the Adopted and Filed rules. After publication of the Adopted and Filed rules, additional groups and individual providers expressed concerns specifically related to volunteers, prompting the need for this rule-making action, which is designed to address those concerns.

The Department does not believe the proposed amendment imposes any financial hardship on any regulated entity, body, or individual. Rather, the proposed amendment provides clarity and guidance on the screening of health care workers for tuberculosis and, in fact, reduces the number of individuals who might otherwise be subject to TB screening and testing.

The Board of Health reviewed the proposed amendment at its March 13, 2013, meeting.

Any interested persons may make written suggestions or comments on the proposed amendment on or before April 23, 2013. Such written materials should be addressed to the Director, Department of Inspections and Appeals, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0083; faxed to (515)242-6863; or e-mailed to david.werning@dia.iowa.gov.

This amendment was also Adopted and Filed Emergency and is published herein as **ARC 0674C**. The content of that submission is incorporated by reference.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 135C.14.